

# ***Ethics Policy***

Approved:

Date: June 2012



## **I. Policy**

Probation staff shall be held to a high standard of conduct commensurate with their position as an employee of the Nebraska Supreme Court.

The Administrative Office of Probation adheres to the Policies and Procedures of the Nebraska Supreme Court Code of Ethics. All Administrative Office of Probation employees shall incorporate these principles to their daily lives. Violations shall be dealt with as any other violation of policy.

## **II. Purpose**

To ensure employees of the Nebraska Probation System meet the high expectations to which they are held by the Nebraska Supreme Court, Administrative Office of Probation, and the citizens of Nebraska.

## **III. Reference**

[Administrative Office of Probation Code of Ethics](#)

[Nebraska Supreme Court Policies and Procedures](#)

## **IV. Procedure**

When an individual within a supervisory position of the Nebraska Probation System becomes aware of a violation of the Administrative Office of Probation Code of Ethics, that person shall immediately investigate the situation and, if warranted, move to impose disciplinary action.

### **A. Investigation**

1. If the violation is of a serious nature, the employee shall be immediately suspended with pay pending investigation. Examples of violations to be considered serious include, but are not limited to:
  - a) Arrest for any law infraction other than minor traffic violation, i.e., parking or speeding tickets. Note, a Driving Under the Influence (DUI) would be considered a serious violation.
  - b) Inappropriate usage of the state email system by sending inappropriate, questionable, or a high number of personal emails from an office computer during normal work hours.
  - c) Inappropriate conduct with another probation employee including, but not limited to, yelling, coming in inappropriate physical contact, or acting in an aggressive manner towards another employee.
  - d) Inappropriate conduct with a probationer.

2. The employee shall be notified of the allegations both verbally and in writing. Allegations shall be reviewed with the employee, allowing him/her an opportunity to respond with information and/or explanation.
3. Other staff members shall be advised the employee will not be at the workplace for a period of time. They shall be informed the investigation is a confidential matter so information cannot be shared with other staff members unless they are directly affected by the incident(s) in question and would be part of the investigation.
4. The employee's workload shall be temporarily assigned to other employees, noting the assignment may take up to four (4) weeks while the investigation is completed.
5. The Administration and Operations Division of the Administrative Office of Probation shall be immediately notified so the employee's Internet rights and email access are suspended immediately until further notice.
6. The matter shall be thoroughly investigated. This may include, but is not limited to:
  - a) Obtaining police reports.
  - b) Interviewing any law enforcement officials involved.
  - c) Interviewing all individuals who may have knowledge of the incident. If interviewing other staff members, advise them of the confidential nature of this matter and instruct them not to discuss the matter with anyone other than those people conducting the investigation. Advise them no retaliation should result towards anyone providing information and, should any retaliation occur, to report it immediately to investigating officials.

B. Discipline

1. Once the investigation is complete, Step 2 of the disciplinary process shall be started. A second meeting shall be conducted with the employee advising him/her of the specific violation of Policy and Code of Ethics. Employees shall be allowed to refute the information or present any mitigating or other evidence.
2. A third meeting shall be conducted with the employee, allowing him/her to provide any information or evidence they wish to submit. After receiving any final comments, information, or evidence from the employee, the investigator may immediately proceed to imposition of disciplinary action or arrange to conduct additional investigation or meetings.
3. Documents from all meetings shall contain a signed acknowledgement of the employee noting he/she received a copy of the document.
4. A copy of all documents shall be placed in the employee's District Personnel file. An additional copy, other than verbal warnings, shall be forwarded to the

Administrative Office of Probation. All written warnings or reprimands shall be sent to the Administrative Office of Probation.

5. Following are the types of discipline that may be imposed:
  - a) Verbal reprimand
  - b) Written warning
  - c) Disciplinary probation
  - d) Suspension without pay
  - e) Reduction in salary within salary grade
  - f) Demotion
  - g) Dismissal/termination
6. Should the employee's discipline include a change in pay or suspension without pay, this information shall be immediately forwarded to the Administrative Office of Probation, including specific changes.
7. If the employee was not suspended prior to disciplinary action being imposed, the Administration and Operations Division of the Administrative Office of Probation shall be notified so the employee's Internet rights and email access are suspended during the period of suspension.
8. Should the employee's employment be terminated or should the employee resign, the following actions shall be taken:
  - a) Notify the employee he/she shall be given two (2) week's severance pay (unless the employee's resignation states it is an immediate action.)
  - b) All county or state equipment shall be collected and retained. This may include, but is not limited to:
    - (1) Badge (return to Administration and Operations Division)
    - (2) State and County Identification Cards
    - (3) Cellular Phone (return to Administration and Operations Division)
    - (4) Handcuffs
    - (5) Keys
    - (6) Laptop or other portable computer device, including any information storage equipment like a flash drive

9. The Administrative Office of Probation shall be immediately notified of termination or resignation via telephone call and/or email. This shall be followed up with mailed copies of the disciplinary action and/resignation, making certain the specific date of departure is clearly stated.